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November 13, 2019

Honorable Magistrate Judge Ronnie Abrams
 United States Magistrate
 Southern District of New York
 500 Pearl Street
 New York N.Y.10007

Re: Rafael Figueroa v. Irene Yagudaev and Solomon Yagudaev
 Docket No. 19-cv-210

Dear Magistrate Abrams:

We represent the Plaintiff, Rafael Figueroa in the above-referenced matter and make this Motion seeking to remove and remand this matter pursuant to Federal Rule §1447 back to Supreme Court Bronx County based on the fact that the newly added Defendants are New York Corporations and therefore, full diversity of the parties no longer exists in this matter. In particular, the newly added Defendant, Giron Contracting is a New York Corporation as admitted in paragraph 7 their Answer. Furthermore, the Defendants whom have not answered to date including Sal D’Amico Construction is an active New York State Corporation according to the New York State Department of State Corporations database look-up. APS Electric is also a registered New York State Corporation. NY Plumbing Works Inc. is likewise a New York State Corporation according to confirmation from the New York State Division of Corporations website and Inclinator Elevette NY Plumbing Works while a New Jersey Corporation is registered however with the New York State Department of State Corporations as doing business in New York and subject to New York County venue. As Plaintiff is a New York State resident there is no longer a complete diversity of the parties with a majority of the Defendants also being New York Corporations and this matter is no longer properly in Federal Court.

Diversity jurisdiction requires complete diversity; every plaintiff must be diverse from every defendant. *Toskitch v. J.H. Investors*, 806 F.Supp.2d 1224 (U.S. District Ct, M.D.Florida 2011)

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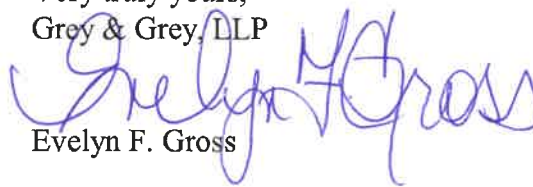
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When a defendant removes an action to federal court on diversity grounds, a court must remand the matter to state court if complete diversity is lacking between the parties or if any of the properly served defendants are citizens of the state in which the suit was filed. *Florence v. Crescent Res., LLC*, 484 F.3d 1293, 1297 (11th Cir.2007). Federal courts are directed to construe removal statutes strictly, resolve all doubts about jurisdiction in favor of remand, and employ a presumption in favor of remand to state courts. *Univ. of S. Ala. v. Am. Tobacco*, 168 F.3d 405, 411 (11th Cir.1999).

Wherefore, Plaintiff herein requests that this Honorable Court grant Plaintiff's motion to remand this matter to Supreme Court along with whatever other relief it deems just and proper. Plaintiff thanks the court for its attention and courtesies in these matters.

Very truly yours,
Grey & Grey, LLP



Evelyn F. Gross

EFG

Emailed to Mr. Roman Shayk, Brand Glick Brand
Mr. Gerard Misk, Ginsburg & Misk

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